

Response

Applicant has amended the claims to more distinctly point out and claim the differences between the invention and the prior art cited by the Examiner, and to address the rejections raised in the Office Action based upon 35 U.S.C. 112.

Applicant also cancelled claims 111-113.

No new matter is added by any of these amendments.

Remarks

In the November 13, 2007 Office Action, the Examiner objected to the declaration on the basis that it is incorrect because it does not include wording related to the applicant's obligation to disclose information as required under 37 CFR 1.56. The applicant respectfully states that the declaration as currently worded sufficiently recites the applicant's obligation to disclose information as required under 37 CFR 1.56. Nevertheless, applicant will promptly execute and submit to the Office a supplemental declaration incorporating the Examiner's suggested wording.

In the Office Action, the Examiner advised that claims 111-113 appear to be duplicative of claims 83-85. Applicant herein cancelled claims 111-113, thus resolving the Examiner's concern.

In the Office Action dated November 13, 2007, the Examiner rejected pending claim 86 under 35 U.S.C. 112 as reciting the limitation "the closure component" without sufficient antecedent basis. Applicant has herein amended claim 86 to resolve this rejection.

Also, in the November 13, 2007 Office Action, the Examiner rejected pending claims 87 and 88 as reciting the limitation "the teat" without sufficient antecedent basis. Applicant has herein amended claim 87 to resolve this rejection.

Additionally, in the Office Action, the Examiner rejected pending claims 89-91, 93, 94, 96, 97, and 99-110 as reciting the limitation “the closure” without sufficient antecedent basis. Applicant respectfully disagrees with the asserted basis for the Examiner’s rejection, as all of the rejected claims depend from independent claim 80 which recites in line 2 “a closure therefor.” Thus, sufficient antecedent basis is found in independent claim 80, from which the rejected claims depend.

The Examiner offered no basis in the Office Action for rejection of claims 92, 95 or 98 under 35 U.S.C. 112, and thus applicant makes no response to such rejections as asserted in paragraph 5 of the Office Action.

In the Office Action dated November 13, 2007, the Examiner also rejected pending claims 80, 81, 83, 84, 86, 87, 111 and 112 as obvious over Morash ‘206 in view of Kornely et al. ‘768. Morash shows stacked components for a feeding bottle and Kornely shows a plastic cover used for protective purposes. However, the protective cover of Kornely is not used for feeding bottles, but rather as a protective liner for items, such as cooking pans or trays, which are transported in stacked arrangements. Thus the protective liners of Kornely are intended to provide protection against abrasion and impact damage to non-stick surfaces during manufacture, packaging, shipping and display by covering the non-stick surfaces. Kornely is not concerned with, nor does it teach keeping the interior of a container free from contamination, and accordingly, the protective covers are not sealed to the rims of pans or trays to prevent contamination of the interiors of the pans or trays. By contrast, the protective liners of the present invention are not intended to prevent surface damage to the interior of a container. Surface damage is not an issue of concern for the present invention. The main concern is to ensure that the interior of the container remains free from contamination before use. The

intention is for the container body to be sterilized and kept free from bacterial contamination until it is needed for filling with milk or other liquid drink suitable for a baby or toddler.

Accordingly, it is quite clear that providing a cover of the type disclosed in Kornely on components of a feeding bottle as described in Morash would not result in the present invention, because Kornely and the present invention are intended for solving quite different problems: namely protection against surface damage, and protection against contamination. Thus, the obviousness rejection on this basis should be withdrawn.

In the Office Action dated November 13, 2007, the Examiner also rejected pending claims 82 and 114-116 as obvious over Morash '206 in view of Kornely et al. '768 and further in view of Lynch '811. For the same reasons as expressed above for claims 80, 81, 83, 84, 86, 87, 111 and 112, Morash '206 and Kornely et al. '768 are insufficient to serve as references for obviousness rejections for claims 82 and 114-116, as they do not disclose a removable cover protecting the interior of the container from contamination.

In the Office Action dated November 13, 2007, the Examiner also rejected pending claims 85, 113 and 117 as obvious over Morash '206 in view of Kornely et al. '768 and further in view of Lynch '811 and Nemeth '715. For the same reasons as expressed above for claims 80, 81, 83, 84, 86, 87, 111 and 112, Morash '206 and Kornely et al. '768 are insufficient to serve as references for obviousness rejections for claims 85, 113 and 117, as they do not disclose a removable cover protecting the interior of the container from contamination. Further, because Nemeth relates to a container for computer media, any teachings therein regarding use of a Polystyrene cover would not apply to the present invention for a vessel for sterile liquids.

In the Office Action, the Examiner also rejected pending claims 88-94, 103-110 and 118 as obvious over Morash '206 in view of Kornely et al. '768 and further in view of

Williams et al. WO '074. For the same reasons as expressed above for claims 80, 81, 83, 84, 86, 87, 111 and 112, Morash '206 and Kornely et al. '768 are insufficient to serve as references for obviousness rejections for claims 88-94, 103-110 and 118, as they do not disclose a removable cover protecting the interior of the container from contamination.


In the Office Action, the Examiner also rejected pending claims 94, 96, 97, 101 and 102 as obvious over Morash '206 in view of Kornely et al. '768 and further in view of Verbovsky '053. For the same reasons as expressed above for claims 80, 81, 83, 84, 86, 87, 111 and 112, Morash '206 and Kornely et al. '768 are insufficient to support an obviousness rejection for claims 94, 96, 97, 101 and 102, as they do not disclose a removable cover protecting the interior of the container from contamination.

In the Office Action, the Examiner also rejected pending claims 95-102 as obvious over Morash '206 in view of Kornely et al. '768 and further in view of Haberman '245. For the same reasons as expressed above for claims 80, 81, 83, 84, 86, 87, 111 and 112, Morash '206 and Kornely et al. '768 are insufficient to support an obviousness rejection for claims 95-102, as they do not disclose a removable cover protecting the interior of the container from contamination.

In sum, neither Morash nor the other cited references are concerned with maintaining sterility of stackable feeding bottle containers. Accordingly, the cited references are insufficient grounds for rejection of the pending claims.

For all these reasons, it is respectfully submitted that the foregoing amendments and remarks overcome the basis of the Examiner's rejection of the claims. Prompt and favorable reconsideration is respectfully requested. The Examiner is encouraged to contact the undersigned via telephone to resolve any outstanding issues.

Respectfully submitted,

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